

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHANE MATTHEW McKINLEY,)	
)	
Plaintiff,)	8:09CV222
)	
v.)	
)	
OMAHA POLICE DEPARTMENT,)	MEMORANDUM OPINION
)	
Defendant.)	
_____)	

This matter is before the Court on its own motion. On August 14, 2009, the Court conducted an initial review of plaintiff's complaint and found that it failed to state a claim upon which relief may be granted (Filing No. [7](#)). The Court gave plaintiff the opportunity to amend his claims, but warned him that if he failed to amend his complaint by September 14, 2009, his complaint "will be dismissed without further notice for failure to state a claim upon which relief may be granted." ([Id.](#) at CM/ECF p. 5.) Plaintiff thereafter requested, and was given, an extension of time until October 14, 2009, to file an amended complaint (Filing Nos. [8](#) and 9 (text order)), but no amended complaint has been filed. A separate order will be entered dismissing plaintiff's complaint.

DATED this 2nd day of November, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court